

BARRY J. PORTMAN
Federal Public Defender
ANGELA M. HANSEN
Assistant Federal Public Defender
555 - 12th Street, Suite 650
Oakland, CA 94607-3627
Telephone: (510) 637-3500

Counsel for Defendant REDONDO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR-10-00237 SBA
)	
Plaintiff,)	STIPULATED REQUEST TO CONTINUE
)	HEARING DATE TO JUNE 15, 2010 AND
v.)	TO EXCLUDE TIME UNDER THE
)	SPEEDY TRIAL ACT AND PROPOSED
)	ORDER
JESSIE JAMES REDONDO,)	
)	
Defendant.)	Hearing Date: May 4, 2010
)	Time: 9:00 a.m.
)	

The above-captioned matter is set on May 4, 2010 before this Court for a status hearing. The parties jointly request that the Court continue the matter to June 15, 2010 at 9:00 a.m., and that the Court exclude time under the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), between May 4, 2010 and June 15, 2010.

On April 1, 2010, the Grand Jury charged Mr. Redondo with possession with intent to distribute methamphetamine, in violation of 21 U.S.C. § 841(a)(1), possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c), and as a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g). He is subject to a mandatory minimum sentence of 10 years, and a statutory maximum of life imprisonment. He also faces a mandatory consecutive sentence of 5 years for the Section 924(c) offense.

1 The current status of the case is that the parties are negotiating this matter and anticipate
 2 that there will be a negotiated disposition of the case. In the meantime, the government has
 3 produced discovery to the defense and defense counsel needs additional time to review and
 4 process the discovery provided and to discuss those materials with her client. The defense also
 5 requires additional time to complete its investigation of the circumstances of the offense and to
 6 collect Mr. Redondo's prior conviction records to prepare an estimate of his anticipated
 7 Guidelines range. Finally, defense counsel will be out of town and unavailable from May 11
 8 through May 25, 2010 and will not be in a position to work on this case during that time frame.

9 The requested continuance will allow the defense to complete its review of the discovery,
 10 to investigate the underlying facts of the case, and to obtain and review records. For this reason,
 11 the parties agree that the failure to grant this continuance would unreasonably deny counsel for
 12 defendant the reasonable time necessary for effective preparation, taking into account the
 13 exercise of due diligence. The parties also agree that because of defense counsel's unavailability
 14 for two weeks in May 2010, the failure to grant this continuance would unreasonably deny
 15 defendant continuity of counsel.

16 The parties further stipulate and agree that the ends of justice served by this continuance
 17 outweigh the best interest of the public and the defendant in a speedy trial. Accordingly, the
 18 parties agree that the period of time from May 4, 2010 to June 15, 2010, should be excluded in
 19 accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv),
 20 for continuity of defense counsel and also for effective preparation of defense counsel, taking
 21 into account the exercise of due diligence.

22 DATED: April 30, 2010

23 /S/
 WADE RHYNE
 Assistant United States Attorney

25 DATED: April 30, 2010

26 /S/
 ANGELA M. HANSEN
 Assistant Federal Public Defender

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//
I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this e-filed document. /S/ ANGELA M. HANSEN

ORDER

Based on the reasons provided in the stipulation of the parties above, the Court hereby
FINDS:

1. Given that the government has produced discovery in this case and that defense counsel needs time to complete its review the discovery and to discuss the discovery materials with her client;

2. Given that the defense needs additional time to continue to investigate the underlying facts of the case and to obtain records to calculate defendant's sentencing Guidelines range;

3. Given that these above-listed tasks are necessary to the defense preparation of the case and that the failure to grant the requested continuance would unreasonably deny counsel for defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence;


4. Given that defense counsel will be out of town and unavailable from May 11 through May 25, 2010 and will not be in a position to work on this case during those weeks, and that the failure to grant this continuance would unreasonably deny defendant continuity of counsel;

5. Given that the ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy trial;

Based on these findings, IT IS HEREBY ORDERED that the STATUS date of May 4, 2010 scheduled at 9:00 a.m., before the Honorable Saundra Brown Armstrong, is vacated and reset for June 15, 2010 at 9:00 a.m. It is FURTHER ORDERED that time is excluded pursuant

1 to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), from May 4, 2010 to June 15,
2 2010.

3 DATED: 5/3/10


HON. SAUNDRA BROWN ARMSTRONG
United States District Judge